So you local artists will have to forgive me if we haven't had the time to take on the responsibility of launching your music career.

(Applause.)

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Ms. Merritt, you seem to contradict yourself a little bit when you say that you don't want the government to be involved with radio, yet you're asking an evergrowing, ever-expanding federal government to mandate the play of your records on radio stations.

MS. MERRITT: I certainly am not indicating that.

T.J.: And you say that the radio stations shouldn't be worried about their bottom line when you openly admit that that's what you're trying to reach is your bottom line.

MS. MERRITT: I'm not -- if you want music, you're 16 going to have to find a way, we're going to have to find a way to cooperate because we both need to stay in business. But, you know, I certainly don't live by a pool. I struggle to make ends meet and I have a lot of respect for that. I'm not here to promote my career. I'm here to give North Carolina musicians a voice so that they can keep contributing just as you have.

(Applause.)

T.J.: Do her comments count in my two minutes? 25 Let me say this, I know this will be indecent language to a lot of people in here, but ours is a society built on capitalism. And in order to make a profit, you have to abide by the rules of capitalism. And we can service the community and still make a profit to keep these radio stations and TV stations on the air. And tomorrow morning your newspaper will show up with whatever the heck the people want to put in it in there. Thank you very much.

MS. GARNER: Chairman Powell, distinguished
Commissioners, members of the panel, Ladies and Gentlemen,
my name is Elsie Garner. I'm the president and CEO of WTVI,
Charlotte's own public television station.

In the debate over localism and broadcasting, I would request that the FCC give consideration to that last bastion of locally controlled, free over-the-air, public television and radio stations.

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The FCC had the foresight to reserve channels for nonprofit, educational use many years ago. I urge you today to continue to reserve for the future a chair at the table for public use, because without some care, this local resource could disappear in digital transition.

I request you to establish rules to guarantee cable and satellite carriage for the digital age.

Otherwise, public television will be faced with operating costs for two stations at once with the exposure of only one station. And in the digital world, satellite television

should not be exempt from the kinds of requirements that apply to cable when it comes to digital signals for the protection of local stations such as WTVI.

WTVI is owned and operated by a local broadcasting authority. 83 percent of our budget comes directly from the community we serve. That's local government and local business, local foundations, and yes, local viewers like these people behind me. This means we have to be responsive to local issues and local preferences.

WTVI broadcasts approximately twice the PBS national average of locally produced programs such as the election debates for city council and the school board, and our Ready to Learn Service as has been cited twice by the Department of Education as one of the country's five best outreach services.

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Overwhelmingly I hear from our viewers that they consider WTVI to be an essential community resource in the heart of the Carolinas. Thank you for the opportunity to come before you tonight and thank you for coming to Charlotte.

AUDIENCE PARTICIPANT: Chairman Powell, welcome to Charlotte; we really appreciate you being here. Commissioner Copps and Adelstein and Mr. Goodmon, I'm a couch potato, and I've been forced to watch all this stuff 25 on television the last five years.

But I think you three gentlemen should be given the Congressional Medal of Honor for patriotism for defending our democracy, because I see democracy under attack in many different forms. But basically there's a confluence between capitalism and our society and capitalism is winning.

There's a great book just coming out by William Grieder called <u>The Soul of Capitalism</u> in which he states clearly why there is no soul in capitalism, and what we need to do to change things before we lose what we have in America. But what you gentlemen have before you is the chance to help really improve our country and our democracy, things that have been stated by all these people. And I'm so glad to be here in the start in Charlotte, and I feel very honored you're here helping us.

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I want to offer one example. We had a great example by Ms. Merritt about what happens to people when they let the different industries consolidate to such a great degree that people are squeezed out and our values are squeezed out with it.

My example, and it comes from my heart, is I have a favorite candidate in the democratic election coming up, and I've been watching C-Span for the last almost year, I guess it is, and I've seen them perform in Iowa over and over again, and I know these people are doing well.

My candidate came on CNN, the first chance they had for mass media, communication to the world, and he got of all the candidates -- everyone got at least 55 percent more time than he got. One of them got 174 percent more time than he got. His name is Senator Dennis --Representative Dennis Kusinich from Ohio.

The polls that they tell us about are that he has two percent of the population are for him. They don't poll in Iowa and they don't tell you that.

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MS. HARMAN: Thank you for allowing me to be here tonight to share our story. My name is Rita Harman. I'm with the American Cancer Society. The American Cancer Society is a national nonprofit organization, and our goal is to eliminate cancer. We also do research, education, service and advocacy in the community.

We've had an opportunity to partner with several radio stations and television stations locally. WSOC, WGIB, WBAV, NPR, WFAE and several other stations we've had an opportunity to partner with over the last few years.

They have given us an opportunity to share our message, to create awareness about cancer and cancer prevention in the community, and we certainly appreciate that. We could not have done that without them.

The American Cancer Society does not have a media 25 budget, so we appreciate the opportunity to go on their

stations, to take survivors and talk about their issues and what the American Cancer Society can do for them and for those we hope will never be diagnosed with cancer.

We also appreciate the opportunity to partner with stations like the Link, we partner with WBTV. They have given us an opportunity to participate in -- let me back up and say we have given them an opportunity to participate in a program we call Relay for Life.

In partnering with them we've been able to raise over \$500,000 for our cancer research. And our hope is that in the future we will be able to continue to partner with organizations like WBAV and like WBTV in order to create additional awareness about cancer and cancer prevention. I thank you all for this opportunity to speak tonight.

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MR. DAY: Chairman Powell and Commissioners and panelists, my name is Steve Day and I was one of the announcers from Los Angeles who provided North Carolina stations with music and announcers back in 1987 when the Fairness Doctrine was eliminated and the veto could not be overturned. That displaced some 1500 to 2500 local announcers in small and medium markets, and that continues today.

I have quit my LMA appointment job at a station in California because the owners were telling me to take on the responsibility to offer local programming to two other

cities outside my city. This happens every day in small and medium markets. I have travelled 2500 miles from California in my car to tell you today that this is happening in over 10,000 radio stations.

Does it concern the FCC at all that 75 to 80 percent of small and medium sized stations do not have an individual or human being at that station from 8:00 P. M. until 5 A. M. in the morning? Not all stations do this.

Would it concern the FCC at all to know that that percentage of stations do not have an attendant from Friday at 8 P.M. to Monday morning when at 5 A. M. when the local crew comes in?

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Ten billion dollars is invested in one diversified company alone, and multi-millions are invested by those same banks that invest in Arbitron, their rating service.

I'll be heading to D.C. tomorrow and I'll be talking with representatives to change the legislation so that you can articulate that said legislation of the political party that is in control. In August I met with Representative Robin Hayes, one of his assistants. I told him about this and he seemed very, very concerned.

I'll be talking with someone, an advisor, not the National Security Advisor herself, but an aid to her to discuss would this be at all important to those involved in terrorism -- counter-terrorism to know that this country is

left alone at night until 5 A.M. in the mornings and on the weekends.

I'll be asking representatives in Congress to help you find these people, imprison them if necessary, and get to their pocketbooks.

MR. CUNNINGHAM: Hello. My name is Darrell Cunningham and I represent Mothers of Murdered Offspring MOMO is a Charlotte-based 501C3 organization dedicated to the reduction of violence in our community. MOMO has a good working relationship with our local radio and TV stations, WSOC, WCNC, WCCB, WBTV, News 14 Carolina, WFAE, WBT radio, WBAB, WPEG, WCHH, just to name a few.

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We would like to thank the stations previously mentioned for helping our organization throughout its history. For example, the promotion of our nine annual nonviolence weekends, coverage of our community candlelight memorial services, coverage of our balloon release and remembrance, the celebration of our over ten years of service, and their continued dedication to keep unsolved cases in the public eye and help seek justice.

I recognize that there's been a great deal of attention paid to broadcast localism at the FCC over the last several weeks. I'm here for two reasons.

First I would like to say thank you to the 25 previous stations mentioned, and I would like to say as a North Carolinian I'm here to tell you from a local perspective broadcast localism is alive and well in the Carolinas. Thank you.

MR. FORCELLO: Mr. Chairman, my name is Bob Forcello (phonetic). I'm from the North Carolina Center for Missing Persons; a letter will follow from the Secretary of Crime Control and Public Safety. I'm the Amber Alert project officer here in North Carolina. I'm here to support local broadcasting.

If it were not for the local broadcasters in North Carolina's Association of Broadcasters there would be no Amber Alert. Since the bill was signed into law in North Carolina on June 12th, we have had two Amber Alerts. It's not business, I believe, that prompts the broadcasters to get involved. I think it's community spirit.

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The North Carolina Association of Broadcasters has been instrumental in developing the Amber Alert program and keeping it alive. Again, a letter will follow from the Secretary of Crime Control and Public Safety.

MS. PEVIA: Mr. Chairman, my name is Wanda Pevia. (phonetic). I'm here to tell you a little personal story. My daughter was abducted in June of 1999. She was returned home this past March 2003. If it hadn't been for the local news media, the man who abducted my daughter, he would never 25 have been apprehended.

I want to thank the local news media and the local radio stations for their help and support in apprehending him. Thank you.

AUDIENCE PARTICIPANT: How's everybody doing?

Look, my problem's not as big as some of the problems

addressed here, but obviously local artists being played on
the radio is a big issue because we have a panelist that is
a representative of that.

So in turn I have a -- I'm part of a company. My name is Gus. My professional pseudonym is G-U-\$. I'm from Charlotte and basically I've been in music my whole life. So I'm one of the best, but I haven't been respected as that. I don't know why, but I know I'm part of this record label named Policy Entertainment Group LLC, and we've made many efforts, especially with stations like 92.7 about getting play.

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We have BDS encoding and MP-3 format and everything technically that needed to be done. We're street certified because that's all I know. And forgive my rugged exterior, but that's where I'm coming from with this.

So basically I was just pulling off what people have been talking about today, they've helped out local artists as much as they can. I've only heard of one referral to a local artist, which is, like, ridiculous because we have, like, a million local artists that haven't

been heard on the radio and turning out, like I say, to the community.

And to the panelists, I appreciate your support and your inquiry about this topic right here because it is important. I just want to stress that importance. I'm going to keep it short. Thanks.

MR. BOW: Mr. Chairman, my name is Wally Bow and I'm a journalist living in Asheville, North Carolina. I moved to Asheville in 1983 to become the director of the news bureau at the University of North Carolina there. I'd like to describe the changes in local broadcast journalism I've witnessed over the last twenty years.

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Over the first two or three years we could call a major press conference for our major news we had, such as hiring a new chancellor or a million dollar grant, and we would have three or four radio journalists show up as well as three TV journalists, one from our local ABC affiliate and one each from Spartenburg, the CBS affiliate, and Greenville, the NBC affiliate, both of which had bureaus in Asheville at that time, and of course we had local print done on us as well.

However, by 1990 this picture had changed radically as the locally owned radio stations were bought up by bigger media companies and they began dismantling the local news operations. By 1990 only one commercial radio

station in western North Carolina had a full-time field reporter and studio news staff sufficient to produce a daily local news program.

North Carolina is roughly the size of the State of Vermont.

Today that radio station, after being purchased by Clear
Channel three years ago, no longer has a field reporter.

And instead of producing twenty minutes of local news with hourly updates, the reduced news staff now only produces nine minutes a day. None of that news reporting is done out in the field or in the community and is regularly from the Associated Press.

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The Greenville-Spartenburg TV stations after having been purchased by large broadcast chains have closed their Asheville bureaus leaving us only with our local ABC affiliate. Today a major news conference will probably get zero broadcast journalists.

Clearly the growing concentration of media

ownership has greatly reduced the amount of local broadcast

news media in the mountain region.

To add insult to injury, several years ago our local ABC affiliate was purchased by Sinclair Broadcasting which soon began featuring editorials by a fellow named Mark Himan from an undisclosed location identified only as news central.

What was even more puzzling to viewers in the mountains was that every four to fifth editorial blasted the liberal legislature not in North Carolina, but in Maryland. Why are viewers in western North Carolina hearing editorial commentaries about the Maryland Legislature? It turns out that Sinclair is based in Baltimore.

Clearly Sinclair is using its local affiliates not to produce or comment on the local news, but to promote their editorial viewpoints and issues of little interest to the citizens of western North Carolina.

Please put the brakes on media ownership with further consolidation. Please support issues like the Mayor of Charlotte mentioned allowing local communities to enforce their cable franchise agreements, to have more public access TV.

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I do want to thank you for the low power FM radio initiative. Thanks.

MS. ELWELL: My name is Beverly Elwell and I am a hard of hearing consumer. If localism means responsiveness by a broadcaster, cable operator, satellite distributors, and other multi-channel video programming distributors to its community, then we need to understand that what's already in place by the FCC through the Telecommunications 24 Act of 1996, and that is about closed captioning and using 29 closed captioning correctly for deaf and hard of hearing

consumers.

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But I want to especially address why it's so important during emergencies and disaster situations. As you see on this television we have here, and you've got a monitor over there, but this is realtime captioning. Everything is being captioned, everything that's being said is being captioned. And that's great when it's got a certain line that is being scrolled and used for closed captioning.

When local networks use scrolling or the scripting process, then sometimes they're using the same line so it covers up the closed captioning which is not supposed to happen.

So what I would like to see as would other 600,000 deaf and hard of hearing individuals in the State of North Carolina is that closed captioning be used appropriately; and not have the local networks or any network say well, we can't do that because of the bottom dollar that it requires.

It's already the law; rules were already provided for it. We just need to learn and enforce the appropriate use of closed captioning. Thank you.

MR. CASTRO: Good evening and welcome to
Charlotte. My name is Hermonie Castro (phonetic); I'm the
chair of the Hispanic Political Coalition of Mecklenburg
County. And as a concerned citizen of Charlotte and having

lived in this community for over thirty years, I would like to bring some points to the attention of the Commission.

First of all, during the time I have lived in this community, I have seen the disappearance of locally owned media to the point that this community in the television area has only one locally owned channel. With the ownership of the media changing from local to a few national and global companies, there has been a continuing separation of local coverage and community involvement.

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There are some exceptions as in WPEG, Power 98, a radio station that has partnered with the Latino community in a campaign to register voters on a daily basis. Over the last five years we have registered around 25,000 voters, and have through their community focus programs have been able to educate the community of the civic duties of the succession of the right to vote, as well as explaining how the municipal county and state and government work and how to contact their elected official. They have also sponsored the Latin-American Festival.

Another bright spot for us has been the Hispanic radio station, 1030 AM. This station has excelled in the involvement and service to the Latino community in all the areas that concern us.

To summarize, we would like to see more community 25 coverage and involvement of the local media and are opposed to the consolidation of the ownership of the media as has recently happened with the Spanish speaking TV and radio network, and is being sponsored by the FCC.

This consolidation will only result in the diminishing of balance and diverse opinions that the American people deserve. Thank you.

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MR. BRAWLEY: Mr. Chairman, thank you for extending the time for public comment. My name is Bill Brawley and I'm a former elected and appointed official here locally, but I'm speaking as a private citizen.

Recently I've been aware of a commercial campaign that's touted how good a major station owner is in the Charlotte area. I haven't heard anything tonight to say the local stations couldn't be just as user friendly.

I have 15 FM stations programmed with the buttons on my car. I'm guilty of channel surfing. When commercials come on, I look for music and a lot of them belong to that major system operator. It is my perception that all of their stations run commercials at the same time. My three teenagers have made the same comment to me.

We expect corporations to use their financial integration to affect their bottom line. It's the American way; it's the way we do things in a competitive society. But broadcasting is not as competitive because there's not free entry. There is limited space on the dial and you have

to allocate it. Economists call this the commons problem.

It relates to the common grazing areas in the English villages that were often over grazed and in poor shape. The reason being it is in the individual self-interest in maximizing its own benefit of the common resource. We've seen it tonight. How many people ran past the red light and burned up the time that others of us would not have had had you not extended the time tonight. We can't expect corporations to not act like the people that are in them.

We must restrict the influence of any one group or any individual. So I ask you to restrict the ownership rules further. Thank you.

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MR. HONEYCUTT: Hi, I'm Rick Honeycutt. I'm a satellite retailer, and the reason why I'm here is the local broadcasters have been slow in making high definition television service available to the satellite TV retailer.

My customers tell me that the Charlotte broadcast station HDTV is not currently available to everyone in the Charlotte TV market. For instance, many rural households located within Ashe, Watauga, Caudwell and Burke Counties cannot receive the broadcast high definition setting.

I have a two-part question. As the expert agent on the digital transition, would you support the creation of a task force in determining whether rural households

currently receive the digital signal or their local networks and independent stations?

And upon determination that some households are not able to receive this signal, would you support allowing cable and satellite operators to provide distant HDTV signals in the same way as they provide distant analog service? Thank you.

CHAIRMAN POWELL: We'll try to get someone to help answer your question.

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MS. FOX: Hi. I'm Susan Fox; I'm from Charlotte.

And as so many other people have said and Ms. Merritt too,
talking about the huge corporations that are eating up all
the media in local areas and how destructive this is because
all they care about is their bottom line. And that's fine,
but the public airwaves are a privilege and so therefore
it's a little bit different.

The FCC has a responsibility of making sure they use that responsibly and not just take over the whole thing. The deregulation, I know, started in the eighties, but it's just gotten worse and worse and worse, and now it's coming to the part that if it's allowed to continue, then we're all going to lose, and please don't let that happen. Thank you.

MR. DELILY: Hello everyone. I am Jake DeLily (phonetic), a COO of an independent music outlet for the Charlotte, North Carolina area. I just want to start off by

saying my father used to have a little saying when he said a lie will travel all around the world, while the truth sits at home putting its boots on.

And what you're hearing right now is a lie and I'm going to say it in front of these people and the representatives from the radio stations because I've been here my whole life. I'm from Charlotte, North Carolina.

We've been hearing from people who are not affiliated with me who were involved in the same struggle for years before I even got -- I'm a graduate of North Carolina Central

University and I was in school during this time when other people were trying to do what I'm trying to do now, and the result is always the same.

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I can call examples like Sunshine Edison, Anthony
Hamilton, Jealousy, and Horace Brown who are from Charlotte,
North Carolina who had to leave Charlotte to go to
California or New York or New Jersey to get their records
played. And that's a fact.

I can also tell you that's a fact that if you are in the club or somewhere on the radio station, your music is not going to get played unless you're going to pay somebody, and that's a fact. And people may dispute that, but I can give you facts and examples and people who can testify and witness to these truths.

So I'm not here to come and try to tell you about

my life because I don't want you to know where I'm from.

I'm here on the strength of the local artists. And I also want to take a leadership step and say that along with everybody else in here, that their fight is my fight because we both want the goal of what's right.

So to Ms. Kwei and to Mrs. Avery, on behalf of the urban artists, we just want what's right and that's it.

MR. QUINTEE: Thank you. My name is Anthony
Quintee (phonetic). I would like to thank everybody who put
this together. This is a beautiful opportunity for the
community to come out and vent, and that's a beautiful
gesture.

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However, it's a tragedy that 100 percent of the community is not being represented here tonight, and not because of ignorance, not because of complacency, because of lack of knowledge, lack of knowing about this.

I personally called three North Carolina radio stations yesterday evening. Two of them told me they knew nothing about this meeting; they knew nothing of the FCC being in town this week. One of them informed me that, you know what, they are in town, and they got a meeting at 7:15 at the Charlotte Convention Center. Not here.

So yeah, there are lies; there's lies all over the place. I'm a starving artist; emphasis on starving. And just like every other artist in here, I think I'm the

hottest thing that hit Charlotte since the Carolina

Panthers. But you know what? That's not for me to decide.

That's for the audience and the community to decide.

And they cannot decide if I do not have access of a medium to go to somewhere where my music can be heard, where I can be heard, you know. And for us being local artists here in Charlotte, North Carolina, I mean, that's the only avenue we have. Without radio, it's hard; it's hard. You have to come out of the pocket a little bit.

And, you know, I'm sorry, you know, contrary to popular belief, in 2003 in North Carolina, and I'm sorry to burst your bubble, payola does exist. And it's very bad, it's buried all over America, you know. That's really all I have to say. Thank you for coming.

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MS. BLAGEN: Mr. Chairman and Commissioners, my name is Krista Blagen (phonetic); I'm with the Arts and Science Council and thank you for this opportunity to speak. Advancing arts and science and history is the driving force of the Arts and Science Council, and the primary area of implementing our work is through our annual fund drive, and we are currently the number one united artist fund drive in the country, raising over 10.1 million to support cultural education, 28 cultural affiliates, creative individuals and neighborhood local programming.

The Charlotte media have been very receptive to

the critical role that culture plays in the role of the Charlotte-Mecklenburg community and enables the Arts and Science Council to get the word out. We rely on those relationships to help inform listeners and viewers about our efforts to enhance the cultural community and the quality of life.

Examples of support from TV and radio are covering ASC events and projects on News 14, WSOC-TV, WBTV, WCCB, WFAE, WPEG, WBAV and WDAV and a host of others.

We also receive in kind contributions and airtime 14 from various radio stations and TV stations for PSAs. And also another critical thing is that media executives and staff people, also may serve and understand the importance of the cultural community by serving on the ASC board of directors and also on our great panels.

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We just want to thank the Charlotte media for supporting the Arts and Science Council and understanding the importance that art, science and history plays in the role of enhancing our cultural community. Thank you.

CHAIRMAN POWELL: I just urge the speakers to be very brief. We have a whole other panel waiting patiently and I want to get these others done.

MS. ECHERVERRI: Good evening. Thank you for giving me the opportunity. My name is Olma Echerverri and I am co-chair of the Hispanic Board Coalition. And I can

assure you that the chair and I prepared our statements separately, so if I am repetitive.

I'm here to commend the efforts of WPG, Power 98. in regards to voter registration and civic involvement, as well as in helping to bring together the African-American and Latino communities.

But there is room for improvement; there always is. When the station was asked to give a public service announcement about the immigrant worker freedom right, a nationally recognized event, this request was denied because it was so-called too political. Well, in the world around us and in this community that is precisely what we need to report, political and controversial issues. Nevertheless, we continue to look forward to building bridges with WPG for many years to come.

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I also want to commend the local Hispanic radio station, WNOW-1030 AM. They provide a daily life line between the limited English speaking population in the community. We would like for them to remain independent because we do not trust them any other way. Thank you.

MR. HUSS: Hi there. My name is Joe Huss, and I'm just a concerned citizen. And I'm here to explain that TV, what's going on with TV. I was never a big TV watcher and I didn't own a TV for many, many years. But I decided I was 29 being left out of the political process, watching debates on TV, and also I like to find out the news on TV locally.

So I have a very valid interest in local news and local control. But also I've noticed the commercials. The commercials seem to be getting more and more of the program. Now, that's fine to a point you change channels, but children watch this stuff.

And, you know, there are studies that have been done and noticed that these children, their attention span goes to only how long the program is. We're kind of preprogramming our children to have short attention spans. And you can think of the consequences that's going to be further down the road.

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Another point I want to bring is that my girlfriend has two young children and she has to be concerned and I have to be concerned on where they go to people's houses, neighbor's houses, because of what's on TV. The sexual content, the language, I wouldn't want an eight-year-old using a lot of the language they use on TV today. And yet, it's right there, so we can't keep them from going into their houses unless we know, you know, what kind of TV they're watching. And I think that's a very important consideration because we're not protecting our children. Thank you.

MR. CLEMENT: My name is Howard Clement. I'm presently a member of the Durham City Council, having served

as mayor pro tem of the Durham, North Carolina City Council.

I'm in my 21st year as a member of the Durham City Council.

Since 1971 it's been my privilege to serve as a member of the minority affairs advisory committee for WTVD, the ABC affiliate in Durham, North Carolina. And since 1971 I want to commend WTVD for its efforts in bringing minority interests to the forum using the television as a venue for that possibility.

There's no doubt in my mind that television, and especially WTVD, has had a great impact in our community over the years because of its inclusion of minorities and other interest groups into its television format.

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During this period I also want to commend WTVD for advocating the concerns and interest of the North Carolina Food Bank. Over 400,000 people, and I used to serve on the board of the Food Bank, of the North Carolina Food Bank, over 400,000 people at risk for hunger and poverty are served by the good work of WTVD and other media outlets.

Thank God for television; thank God for WTVD for serving the public interest. As long as these mass media outlets continue to serve the public interest and at the local level, I think the interest of the free market and air transmission of ideas will be served.

And I want to thank the FCC for coming to this part of North Carolina. I wish it could come to the mecca